

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of Part 90 of the)
Commission's Rules to Facilitate)
Future Development of SMR Systems)
in the 800 MHz Frequency Band)

PR Docket No. 93-144
RM-8117, RM-8030,
RM-8029

and

Implementation of Section 309(j))
of the Communications Act -)
Competitive Bidding)
800 MHz SMR)

PP Docket No. 93-253

To: The Commission

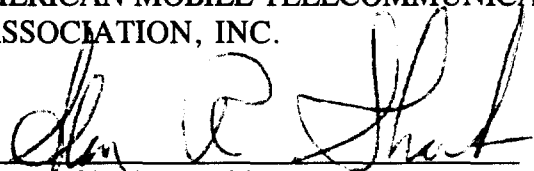
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MOTION FOR EXTENSION OF REPLY COMMENT DATE

Respectfully submitted,

AMERICAN MOBILE TELECOMMUNICATIONS
ASSOCIATION, INC.

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January 11, 1995

**Before the
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The American Mobile Telecommunications, Inc. ("AMTA" or "Association"), in accordance with Section 1.46(b) of the Federal Communications Commission ("FCC" or "Commission") Rules and Regulations, 47 C.F.R. § 1.46(b), respectfully requests that the Commission extend the Reply Comment Date in the above-entitled proceeding for sixty (60) days, until Monday, March 20, 1995.^{1/} As described below, AMTA believes that the volume of comments submitted in this proceeding reflect the critical nature of the issues raised therein. The additional time requested will facilitate continued industry efforts to resolve certain of the matters on which no consensus has yet been achieved and, ultimately, the submission of more thoughtful Reply Comments.

^{1/} Further Notice of Proposed Rule Making, PR Docket No. 93-144, FCC 94-271, released November 4, 1994.

I. INTRODUCTION

AMTA is a nationwide, non-profit trade association dedicated to the interests of what heretofore had been classified as the private carrier industry. The Association's members include trunked and conventional 800 and 900 MHz SMR operators, licensees of wide-area SMR systems, and commercial licensees in the 220 MHz band. Many of its members' businesses will be affected by the decisions reached in the instant proceeding regarding the future licensing of 800 MHz SMR systems. Thus, the Association has a significant interest in the outcome of the proceeding.

II. EXTENSION REQUEST

The instant Notice proposes a fundamental restructuring of the heavily populated 800 MHz spectrum allocated to the SMR and other Private Land Mobile services. If adopted, it would segregate the SMR spectrum in this band into that available for wide-area, geographically licensed systems and that reserved for more traditional systems authorized on either a geographic or site specific basis. One of the significant issues raised should that demarcation be implemented is whether wide-area licensees should be permitted to "retune" existing licensees to equivalent 800 MHz spectrum. Additionally, the Notice questions what eligibility limitations should be adopted for certain non-SMR 800 MHz spectrum, specifically that assigned to the General Category, Business and Industrial/Land Transportation Pools. The proceeding also addresses matters such as the appropriate service area to be protected for trunked licensees in this band, and the use of competitive bidding procedures to assign SMR authorizations.

AMTA has previously advised the Commission of its efforts to achieve broad-based industry consensus on these highly significant issues. The Association has had extensive discussions with industry participants and their representatives over the past months in an effort to promote that objective. As reflected in the Comments recently filed by the Association and approximately eighty-five (85) other parties, there has been some consolidation of positions within the industry, but, in AMTA's opinion, not sufficient consensus to provide the FCC with meaningful guidance in resolving these matters. Instead, the volume and divergence of opinion in those Comments reflect the broad scope of the Commission's proposal, both in terms of the number of substantive issues presented and the number of parties with an interest in the decisions reached.

AMTA is committed to a continued effort to reach broad consensus on these matters which it considers to be vitally important to the future of the 800 MHz SMR industry. It is the Association's firm conviction that substantive progress toward that goal cannot be achieved within the time period currently provided for Reply Comments. In fact, it is not clear that parties will be able even to complete a meaningful analysis of the voluminous Comments filed within the very limited time provided.

Therefore, the Association requests that the FCC extend the Reply Comment date for approximately sixty (60) days, until Monday, March 20, 1995, with AMTA's firm commitment that it will use this period to work toward the objectives detailed above. The Association requests this extension cognizant of the Commission's and the industry's desire to resolve these matters on as timely a basis as possible. While the Association is adverse to a delay in the implementation of a streamlined 800 MHz licensing scheme

which AMTA itself proposed several years ago, it is convinced that this limited extension will permit the industry to work toward a balanced, mutually beneficial approach to these highly complex, interrelated matters, and thereby ultimately facilitate that goal.

The Association has consulted with and received the support of the Industrial Telecommunications Association and SMR WON for the instant request. Nextel Communications, Inc. has advised AMTA that it will not oppose a thirty (30) day extension, and the Personal Communications Industry Association has advised AMTA that it is filing a thirty (30) day extension request in this proceeding.

III. CONCLUSION

For the reasons described herein, AMTA respectfully requests that the FCC extend the Reply Comment date in the above-entitled proceeding until Monday, March 20, 1995.

CERTIFICATE OF SERVICE

I, Cheri Skewis, a secretary in the law office of Lukas, McGowan, Nace & Gutierrez, hereby certify that I have, on this 11th day of January, 1995, placed in the United States mail, first-class postage pre-paid, a copy of the foregoing Motion for Extension of Reply Comment Date to the following:

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- * Commissioner James H. Quello
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- * Commissioner Andrew C. Barrett
Federal Communications Commission
1919 M Street, NW, Room 826
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- * Commissioner Rachelle B. Chong
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- * Commissioner Susan Ness
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- * Regina Keeney, Chief
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- * Robert McNamara, Chief
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* Via Hand-Delivery